

RECEIVED  
UNION PARISH CLERK OF COURT

MAR 27 2018

Third Judicial District Court  
Deputy Clerk Deborah L. Andrews  
©12:33 p.m.

DIVISION " "

3<sup>RD</sup> JUDICIAL DISTRICT COURT  
PARISH OF UNION  
STATE OF LOUISIANA

No. C.D. 48, 208

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA, INC and  
SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.

FILED: March 29, 2018

Deborah L. Andrews  
DEPUTY CLERK

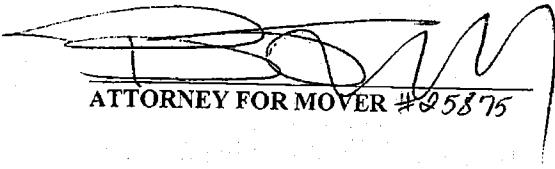
\*\*\*\*\* MOTION TO PROCEED IN FORMA PAUPERIS \*\*\*\*\*

MOVER, STANLEY JACKSON, is a citizen of the State of Louisiana and desire to avail himself of the benefits provided by law, especially the Louisiana Code of Civil Procedure, Articles 5181-5188, as amended, and begs leave of this Honorable Court to proceed "in forma pauperis."

MOVER further alleges that he is without means to pay costs in this action, either in advance or as they accrue, or to furnish security therefore (see attached fact sheet).

WHEREFORE, MOVER PRAYS that the Court allow him/her to proceed "in forma pauperis" as provided by the laws of the State of Louisiana.

SMITH & NWOKORIE  
ATTORNEYS AT LAW  
107 EAST BAYOU STREET  
P. O. BOX 832  
FARMERVILLE, LA 71241  
(318) 368-9543 Telephone  
(318) 368-9545 Fax

  
ATTORNEY FOR MOVER #Q5875

STATE OF LOUISIANA  
PARISH OF UNION

BEFORE ME, personally came and appeared: STANLEY JACKSON, who, being duly sworn, did depose and say: That he/she is unable, because of his/her poverty and want of means to pay costs in advance or as they accrue or to furnish security therefore.

Stanley Jackson  
MOVER

SWORN TO AND SUBSCRIBED, before me, on this 26th day of

March, 2018, at Farmerville, LA  
CITY STATE

Jackuline Hill #8648  
NOTARY PUBLIC

Jackuline Hill

No. C.D. 48,208

3<sup>RD</sup> JUDICIAL DISTRICT COURT  
PARISH OF UNION  
STATE OF LOUISIANA

DIVISION " "

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA, INC and  
SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.

FILED: \_\_\_\_\_

DEPUTY CLERK

\*\*\*\*\* FACTS CONCERNING MOVER \*\*\*\*\*

- 1) FULL NAME: Stanley Jackson
- 2) ADDRESS: 909 Hickory St  
Farmerville La 71241
- 3) TELEPHONE:  
318-608-9351  
(HOME) (EMPLOYMENT)
- 4) BIRTH DATE: 12-05-1968 SOCIAL SECURITY NO.: 433-39-4593
- 5) PLACE OF BIRTH:  
E.A Conway Monroe La  
(CITY) (STATE)
- 6) MARITAL STATUS:  
 SINGLE  MARRIED  SEPARATED  
 DIVORCED  WIDOWED
- 7) NAME OF EMPLOYER:  
\_\_\_\_\_  
ADDRESS:  
\_\_\_\_\_  
N/A  
(CITY) (STATE)
- TELEPHONE: \_\_\_\_\_
- LENGTH OF EMPLOYMENT \_\_\_\_\_
- WAGES: WEEKLY \$ \_\_\_\_\_; BI-WEEKLY \$ \_\_\_\_\_;  
MONTHLY \$ \_\_\_\_\_
- 8) IF MARRIED AND LIVING WITH SPOUSE:

SPOUSE'S NAME:

NAME AND ADDRESS OF EMPLOYER:

(ADDRESS)

(CITY AND STATE)

EARNINGS OF SPOUSE:

WEEKLY \$ \_\_\_\_\_; BI-WEEKLY \$ \_\_\_\_\_;

MONTHLY \$ \_\_\_\_\_

9) ARE YOU BUYING YOUR HOME?  YES  NO

ADDRESS:

(CITY)

(STATE)

VALUE OF HOME: \$ \_\_\_\_\_ BALANCE OWED: \$ \_\_\_\_\_

10) DO YOU OWN OR HAVE AN INTEREST IN ANY OTHER LAND?

 YES  NOIF ANSWER IS YES, STATE THE NATURE OF PROPERTY AND ITS  
VALUE:  
\_\_\_\_\_  
\_\_\_\_\_11) DO YOU OWN OR HAVE AN INTEREST IN ANY OF THE  
FOLLOWING:

- |                            |   |
|----------------------------|---|
| A. AUTOMOBILE              | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO VALUE <u>12,500</u> |
| B. MOBILE HOME             | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VALUE _____         |
| C. BOAT                    | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VALUE _____         |
| D. LIVESTOCK               | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VALUE _____         |
| E. MACHINERY               | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VALUE _____         |
| F. STOCKS                  | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VALUE _____         |
| G. BONDS                   | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VALUE _____         |
| H. CERTIFICATES OF DEPOSIT | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VALUE _____         |
| I. BANK ACCOUNTS           | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VALUE _____         |
| J. SAVINGS ACCOUNTS        | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VALUE _____         |

12) IS ANYONE DEPENDENT UPON YOU FOR SUPPORT?  YES  NO

IF YOUR ANSWER IS YES, STATE THEIR NAMES, AGES, AND RELATIONSHIP:

Dawn Standarion Jackson 10 Son  
 (NAME) (AGE) (RELATIONSHIP)

Stanisha Simpkins 15 Daughter  
 (NAME) (AGE) (RELATIONSHIP)

(NAME)	(AGE)	(RELATIONSHIP)
--------	-------	----------------

(NAME)	(AGE)	(RELATIONSHIP)
--------	-------	----------------

(NAME)	(AGE)	(RELATIONSHIP)
--------	-------	----------------

(NAME)	(AGE)	(RELATIONSHIP)
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13) LIST ANY DEBTS YOU MAY HAVE:

CREDITORS

AMOUNT OWED

Student Loan (SSI)

\$ 6000.00

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14) LIST YOUR MONTHLY LIVING EXPENSES:

EXPENSES

AMOUNT PAID

G

A-vite Water

130<sup>00</sup>

Center point

50<sup>00</sup>

SSI

Clayborne E&C

130<sup>00</sup>

New WAVE

130<sup>00</sup>

Vehicle Gasoline and \$ 275.00  
Maint.

15) Do you have any income or asset(s), which is not shown above?

YES  NO

(IF YOUR ANSWER IS YES, EXPLAIN :)

# 750.00 SSI

16) Has your attorney explained to you or are you aware that it is a crime for  
which you could be sent to the penitentiary if you have intentionally given  
a false answer to any of the above? (R.S. 14:123)

YES  NO

X Stanley Jackson  
MOVER

STATE OF LOUISIANA  
PARISH OF UNION

BEFORE ME, the undersigned authority, personally came and appeared STABLEY JACKSON who, after being duly sworn deposed and said that he is the person who furnished the information contained in the above form; that he has signed same; that the information contained therein is true and correct; that this information is being furnished to 3<sup>RD</sup> JUDICIAL DISTRICT COURT, UNION PARISH for the purpose of inducing a judge thereof to permit appearer to proceed in the above captioned lawsuit pursuant to Louisiana Civil Code of Procedure 5181, et seq.

Stabley Jackson  
MOVER

SWORN TO AND SUBSCRIBED, before me, Notary Public, at  
Farmerville, Louisiana, on this the  
26<sup>th</sup> day of March, 2018.

Jackuline Hill #8648  
NOTARY PUBLIC  
Jackuline Hill

STATE OF LOUISIANA  
PARISH OF UNION

BEFORE ME, the undersigned authority, personally came and appeared Jonell Simpkins, who, after being duly sworn, deposed and said:

That (HE/SHE) knows PLAINTIFF, who is the mover in the above-captioned matter and knows (HIS/HER) financial condition, and (HE/SHE) firmly believes that (SHE) is unable to pay costs in this cause in advance or as they accrue or to furnish security therefore.

Jonell Simpkins  
(WITNESS)

SWORN TO AND SUBSCRIBED, before me, Notary Public, at  
Farmerville, Louisiana, on this, the 26<sup>th</sup>  
day of March, 2018.

Jackuline Hill #8648  
NOTARY PUBLIC  
Jackuline Hill

03/19/2019 9:30 PM TAD 131483 861 Union Parish Clerk  
No. C.D. 48,208

3<sup>RD</sup> JUDICIAL DISTRICT COURT  
PARISH OF UNION  
STATE OF LOUISIANA

DIVISION " "

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA, INC and  
SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.

FILED: March 29, 2018

*Deborah K. Andrews*  
DEPUTY CLERK

\*\*\*\*\*  
ORDER  
\*\*\*\*\*

THE FOREGOING MOTION, supporting affidavit and sworn facts considered, let, STANLEY JACKSON, be permitted to file all pleadings, appear in, and prosecute or defend in this action without prior payment of costs or as they accrue, and without giving bond for costs, as provided by laws of the State of Louisiana Code of Civil Procedure Articles 5181, et seq., as amended.

Farmerville, Louisiana, on this 28 day of Mar, 2018.

*E. Joseph Bleich*  
JUDGE

E. Joseph Bleich  
District Judge  
Pro Tempore

3<sup>RD</sup> JUDICIAL DISTRICT COURT  
PARISH OF UNION  
STATE OF LOUISIANA

No. C.D. 48.208

DIVISION " "

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA, INC and  
SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.

FILED: March 29, 2018

Deborah K. Andrews  
DEPUTY CLERK

AFFIDAVIT OF MOVER

STATE OF LOUISIANA

PARISH OF UNION

BEFORE ME, the undersigned Notary Public, personally came and appeared STANLEY JACKSON, who, after being duly sworn, did depose and state that he is the Mover in the above and foregoing MOTION TO PROCEED INFORMA PAUPERIS and that all of the allegations of fact contained therein are true and correct to the best of his information, knowledge and belief.

X Stanley Jackson  
MOVER

SWORN TO AND SUBSCRIBED, before me, Notary Public, on this,  
the 26th day of March, 20 18.

Jackuline Hill #8648  
NOTARY PUBLIC

Jackuline Hill

3RD JUDICIAL DISTRICT COURT\*PARISH OF UNION\*STATE OF LOUISIANA

STANLEY JACKSON

FILED: March 29, 2018

vs. C.D. No.: 48,208

FAMILY DOLLAR STORES OF LOUISIANA, INC.  
and SEDGWICK INSURANCE COMPANY

Deborah K. Andrews  
DEPUTY CLERK

\*\*\*\*\*  
**PETITION FOR DAMAGES**

NOW COMES Plaintiff, STANLEY JACKSON, a person of the age of majority who resides at 909 Hickory Street, Farmerville, Louisiana 71241, avers as follows:

**MADE DEFENDANTS HEREIN ARE:**

FAMILY DOLLAR STORES OF LOUISIANA, INC., a corporation doing business in the state of Louisiana as Family Dollar Store, store #5281 located in Farmerville, Louisiana.

SEDGWICK INSURANCE COMPANY, a corporation doing business in the state of Louisiana.

(1)

Venue is proper and this Court has jurisdiction over the parties.

(2)

On April 17, 2017, the Plaintiff STANLEY JACKSON was a customer of the Defendant at the Family Dollar Store #5281, located in Farmerville, Louisiana.

(3)

On the aforesaid date of April 17, 2017, the Plaintiff was shopping in the grocery area when he slipped and fell due to water on the floor, which was caused by a leak coming from an air conditioner in the ceiling of Defendant's store.

(4)

Defendant had knowledge of the wet floor, but was negligent in taking the appropriate action to correct the situation.

(5)

Defendant was further negligent by failing to post a sign or cone in the area of the wet floor.

(6)

Defendant **FAMILY DOLLAR STORES OF LOUISIANA, INC.**, through its authorized agent, Family Dollar Store, store #5281, failed in its duty to exercise due care and caution for the safety of the Plaintiff, and negligently and carelessly allowed invitees and customers to unsafely walk through the aisles and shop in its store without any notice regarding the hazard.

(7)

Defendant **FAMILY DOLLAR STORES OF LOUISIANA, INC.**, through its authorized agent, Family Dollar Store, store #5281, was negligent in one or more of the following, but not limited to:

- a) Carelessly and negligently failed to provide a reasonably and safe premises for and customers;
- b) Carelessly and negligently failed to maintain a safe store;
- c) Carelessly and negligently allowed water to be present on the floor in an area where customers walked;
- d) Carelessly and negligently failed to warn customers of water being present on the floor of the aisle;
- e) Carelessly and negligently failed to clean up the water in the aisle after Defendant knew or should have known that the water presented a danger.
- f) Failure to repair a defect within the store location.

(8)

As a direct and proximate result of Defendant's negligence, the Plaintiff suffered injuries. Plaintiff's damages suffered due to the fall are, but not limited, to the following:

- a) Medical expenses
- b) Physical pain and suffering
- c) Inconvenience
- d) Mental anguish
- e) Emotional distress
- f) Present medical expenses
- g) Future medical expenses

and all other items of damages that may be described in the pleadings, but not mentioned here.

(9)

Upon information and belief, the Defendant was insured at all times relevant by  
**SEDGWICK INSURANCE COMPANY.**

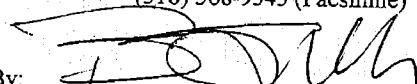
(10)

The Defendants refused to amicably compensate the Plaintiff for his injuries.

WHEREFORE, the Plaintiff pray that Defendants be served with a certified copy of this Petition, and after all proceedings are had, that there be a judgment in favor of the Plaintiff against Defendants for all damages which Plaintiff alleges is sufficient for the purposes of a jury demand and with legal interest from the date of judicial demand until finally paid.

RESPECTFULLY SUBMITTED:

*SMITH & NWOKORIE  
ATTORNEYS AT LAW  
107 East Bayou Street  
P.O. Box 532  
Farmerville, LA 71241  
(318) 368-9543 (Telephone)  
(318) 368-9545 (Facsimile)*

By:   
Brian G. Smith LSBA #25875

PLEASE SERVE

Family Dollar Stores of Louisiana, Inc.  
through  
C T Corporation System  
3867 Plaza Tower Dr.  
Baton Rouge, LA 70816

and

Sedgwick Insurance Company  
through  
C T Corporation System  
3867 Plaza Tower Dr.  
Baton Rouge, LA 70816

**CITATION****STANLEY JACKSON****Versus****FAMILY DOLLAR STORES OF LOUISIANA INC,  
ET AL**

Case: 00000048208

Division:

3rd Judicial District Court

Parish of Union

State of Louisiana

To: **FAMILY DOLLAR STORES OF LOUISIANA, INC.**  
 Through:  
**C T CORPORATION SYSTEM**  
**3867 PLAZA TOWER DR.**  
**BATON ROUGE, LA 70816**

You are hereby summoned to comply with the demand contained in the Petition For Damages, exclusive of exhibits, which accompanies this citation or make an appearance either by filing a pleading or otherwise in the Third Judicial District Court in and for the Parish of Union, State of Louisiana within Fifteen (15) days after the service hereof, under penalty of default.

Witness my official hand and seal of office at Farmerville, Louisiana on this the 29<sup>th</sup> day of March, 2018.

Deborah K. Anderson  
Deputy Clerk of Court**Service Information**

Received on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and on the \_\_\_\_\_ day of  
 \_\_\_\_\_, 20\_\_\_\_ served the above named party as follows:

**Personal Service** on the party herein named \_\_\_\_\_  
**Domiciliary Service** on the party herein named by leaving the same at his/her domicile in the parish in the hands of \_\_\_\_\_, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.

Returned:

Parish of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Service \$ \_\_\_\_\_

By: \_\_\_\_\_ Deputy Sheriff

Mileage \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

I made service on the named party through the

CT Corporation

Filled in Clerk's Office

APR 16 2018

APR 17 2018

by tendering a copy of this document to  
 Jeannine Beauregard  Brenna Beauregard  
 Alison Reed

E. L. Wurmann  
 Deputy Sheriff, Parish of East Baton Rouge, Louisiana

[ RETURN COPY ]

APR 26 2018  
 3rd District Court  
 Union Parish, Louisiana

**CITATION****STANLEY JACKSON****Versus****FAMILY DOLLAR STORES OF LOUISIANA INC,  
ET AL**

Case: 00000048208  
 Division:  
 3rd Judicial District Court  
 Parish of Union  
 State of Louisiana

To: **SEDGWICK INSURANCE COMPANY**  
 Through  
**C T CORPORATION SYSTEM**  
**3867 PLAZA TOWER DR.**  
**BATON ROUGE, LA 70816**

You are hereby summoned to comply with the demand contained in the Petition For Damages, exclusive of exhibits, which accompanies this citation or make an appearance either by filing a pleading or otherwise in the Third Judicial District Court in and for the Parish of Union, State of Louisiana within Fifteen (15) days after the service hereof, under penalty of default.

Witness my official hand and seal of office at Farmerville, Louisiana on this the 29<sup>th</sup> day of March, 2018.

Deborah K. Andrews

Deputy Clerk of Court

**Service Information**

Received on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and on the \_\_\_\_\_ day of  
 \_\_\_\_\_, 20\_\_\_\_ served the above named party as follows:

**Personal Service on the party herein named**

**Domiciliary Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of \_\_\_\_\_, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.**

Returned:

Parish of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Service \$ \_\_\_\_\_

By: \_\_\_\_\_ Deputy Sheriff

Mileage \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

Filed in Clerk's Office

APR 26 2018  
*[Signature]*  
 Debra P. Jackson, Deputy  
 Union Parish, Louisiana

APR 16 2018

[ RETURN COPY ]

I made service on the named party through the  
 CT Corporation  
 APR 17 2018  
 by tendering a copy of this document to  
 Jeannine Beauregard  Branna Beauregard  
 Alison Reed  
 E. L. Lumumba  
 Deputy Sheriff, Parish of East Baton Rouge, Louisiana



**Smith & Nwokorie**  
ATTORNEYS & COUNSELORS AT LAW

BRIAN G. SMITH  
ANSELM N. NWOKORIE  
TIKISHA Y. SMITH

OF COUNSEL  
PATRICE BENN-ABBEY

Please correspond to Farmerville office  
Writers Email: [Lawofficebs@bellsouth.net](mailto:Lawofficebs@bellsouth.net)

April 30, 2018

**Filed in Clerk's Office**

**VIA U.S. MAIL**

Dodi Eubanks  
Clerk of Court  
100 E Bayou Street, Ste. 105  
Farmerville, LA 71241  
Telephone: (318) 368-3055

MAY 01 2018  
Wanda Royal, P.J.  
3rd District Court  
Union Parish, Louisiana

**RE: Stanley Jackson v. Family Dollar Stores of Louisiana, Inc., et al;  
C.D. No.: 48, 208; 3<sup>RD</sup> JDC; Parish of Union**

Dear Ms. Eubanks:

We are requesting that service be issued on Defendant, Family Dollar Stores of Louisiana, Inc., through Corporation Service Company at the following address:

**Corporation Service Company  
501 Louisiana Avenue  
Baton Rouge, LA 70802**

If you should have any questions or concerns, please contact our office at (318) 368-9543.

Sincerely,

Athena Goldsby  
Legal Assistant  
**Smith & Nwokorie**  
Attorneys At Law

---

120 WEST MADISON-P.O. BOX 1182-BASTROP, LOUISIANA 71220-TELEPHONE (318) 283-2500 - FAX (318) 283-2597  
104 WEST BAYOU ST.-P.O. BOX 532-FARMLVILLE, LOUISIANA 71241-TELEPHONE (318) 368-9543-FAX (318) 368-9545  
300 WASHINGTON ST. STE 311, (71201)-P.O. BOX 610 (71210)-MONROE, LOUISIANA-TELEPHONE (318) 582-5544

**CITATION****STANLEY JACKSON****Versus****FAMILY DOLLAR STORES OF LOUISIANA INC,  
ET AL**

Case: 00000048208  
 Division:  
 3<sup>rd</sup> Judicial District Court  
 Parish of Union  
 State of Louisiana

To: **FAMILY DOLLAR STORES OF LOUISIANA INC  
 CORPORATION SERVICE COMPANY  
 501 LOUISIANA AVENUE  
 BATON ROUGE, LA 70802**

*You are hereby summoned to comply with the demand contained in the Petition For Damages, exclusive of exhibits, which accompanies this citation or make an appearance either by filing a pleading or otherwise in the Third Judicial District Court in and for the Parish of Union, State of Louisiana within Fifteen (15) days after the service hereof, under penalty of default.*

*Witness my official hand and seal of office at Farmerville, Louisiana on this the 1st day of May, 2018.*

*Wanda Royal*

Deputy Clerk of Court

**Service Information**

Received on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ served the above named party as follows:

*Personal Service on the party herein named \_\_\_\_\_  
 Domiciliary Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of \_\_\_\_\_, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service..*

Returned:

Parish of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Service \$ \_\_\_\_\_

By: \_\_\_\_\_

Mileage \$ \_\_\_\_\_

Deputy Sheriff

Total \$ \_\_\_\_\_

**Filed in Clerk's Office**

**MAY 07 2018**

**MAY 14 2018**

*Jeanne S. Dyer  
 3<sup>rd</sup> Judicial District Court  
 Parish, Louisiana*

I made service on the named party through the

Corporation Services

by tendering a copy of this document to

*PATRICIA GWADEK*

*Stanley Jackson*  
 Deputy Sheriff, Parish of East Baton Rouge, Louisiana

[ RETURN COPY ].

**RECEIVED**

**MAY 07 2018**

**E.B.R. SHERIFF'S OFFICE**



BREAZEALE, SACHSE & WILSON, L.L.P. | ATTORNEYS AT LAW

Filed in Clark's Office

May 21, 2018

VIA FACSIMILE: (318) 368-3861

Dodi Eubanks, Clerk of Court  
UNION PARISH COURTHOUSE  
100 East Bayou Street, Suite 105  
Farmerville, LA 71241-2843

MAY 21 2018  
*Jane Wilson*  
3rd DISTRICT COURT  
Union Parish, Louisiana -Dy.

KELSEY A. CLARK  
*Kelsey.Clark@bswllp.com*

DIRECT DIAL: (225) 381-3174  
CORPORATE PHONE: (225) 387-4000  
FAX: (225) 381-8029  
One American Place, 23<sup>rd</sup> Floor  
Post Office Box 3197  
Baton Rouge, Louisiana 70821-3197  
[www.bswllp.com](http://www.bswllp.com)

Re: *Stanley Jackson v. Family Dollar Stores of Louisiana, Inc., et al.*;  
3<sup>rd</sup> Judicial District Court; No. 48,208; Union Parish, LA  
BSW File No. 15630-53129

Dear Dodi:

Attached please find Defendant Family Dollar Stores of Louisiana, Inc.'s Answer to Petition for Damages and Request for Notice for fax filing in the above-referenced matter.

Please confirm receipt of this filing, and include the associated costs for same, via return fax to my assistant, Linda Ladner, at (225) 410-6157. Upon receipt thereof, the original pleadings and my firm's check will be forwarded to you.

Thank you for your courtesy and attention to this request.

With best regards, I remain,

Very truly yours,

BREAZEALE, SACHSE & WILSON, LLP

*Kelsey Clark*

Kelsey A. Clark

KAC/lli  
Attachment

cc: Brian G. Smith (*Via Email: lawofficebs@bellsouth.net*)

§ STANLEY JACKSON,  
Plaintiff,

V.

§ FAMILY DOLLAR STORES OF  
LOUISIANA, INC.  
Defendants

§ DOCKET NO. 48,208

§ 3<sup>rd</sup> DISTRICT COURT

§ PARISH OF UNION

§ STATE OF LOUISIANA

Filed in Clerk's Office

MAY 21 2018

Jeanne W. Dugay  
3rd District Court  
Union Parish, Louisiana

ANSWER TO PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Defendant, Family Dollar Stores of Louisiana, Inc. ("Family Dollar"), which answers Plaintiff's Petition for Damages as follows:

1.

The allegations contained in paragraph 1 are directed toward the Court, and therefore require no answer from Family Dollar.

2.

The allegations contained in paragraph 2 are denied for lack of sufficient information to justify a belief therein.

3.

The allegations contained in paragraph 3 are denied.

4.

The allegations contained in paragraph 4 are denied.

5.

The allegations contained in paragraph 5 are denied.

6.

The allegations contained in paragraph 6 are denied.

7.

The allegations contained in paragraph 7, and all subparts thereof, are denied.

8.

The allegations contained in paragraph 8, and all subparts thereof, are denied.

9.

The allegations contained in paragraph 9 are denied.

10.

The allegations contained in paragraph 10 are denied.

**FURTHER ANSWERING, DEFENDANT, FAMILY DOLLAR STORES OF LOUISIANA, INC., STATES:**

11.

Family Dollar specifically denies having any knowledge, whether actual or constructive, of any allegedly dangerous conditions on its premises on the date of plaintiff's alleged accident.

12.

Family Dollar specifically denies that it breached any duty owed to plaintiff.

13.

Family Dollar specifically denies that it failed to exercise reasonable care to keep its premises in a reasonably safe condition.

14.

Family Dollar specifically denies that it failed to exercise reasonable care to keep its premises free of hazardous conditions.

15.

Family Dollar specifically denies that the condition of the floor on which plaintiff allegedly fell presented an unreasonable risk of harm.

16.

Family Dollar specifically denies that it created the allegedly dangerous condition on the floor on which plaintiff allegedly fell.

17.

Family Dollar denies that any action or inaction on its part was a cause in fact or legal cause of any injuries/damages to Stanley Jackson.

18.

The fault of plaintiff is pled in bar or reduction of plaintiff's recovery.

19.

The fault of third parties for whom Family Dollar is not liable is pled in bar or reduction of plaintiff's recovery.

20.

Plaintiff's failure to mitigate his damages is pled in bar or reduction of plaintiff's recovery.

21.

Family Dollar is entitled to, and hereby requests, a trial by jury.

WHEREFORE DEFENDANT, FAMILY DOLLAR STORES OF LOUISIANA, INC., PRAYS that after due proceedings, there be judgment in its favor, dismissing plaintiff's claims with prejudice, and assessing all costs against plaintiff.

Alternatively, Family Dollar prays that any recovery in favor of plaintiff be reduced by an amount commensurate with a degree of fault attributable to plaintiff, and a degree of fault attributable to third parties for whom Family Dollar is not liable. Further, Family Dollar prays that any recovery in favor of plaintiff be reduced by an amount commensurate with plaintiff's failure to mitigate his damages.

Finally, Family Dollar prays for a trial by jury.

Respectfully submitted,

BREAZEALE, SACHSE & WILSON, L.L.P.  
One American Place, 23<sup>rd</sup> Floor  
Post Office Box 3197  
Baton Rouge, Louisiana 70821-3197  
Telephone: 225-387-4000  
Fax: 225-381-8029

Kelsey Clark  
Druitt G. Gremillion, La. Bar Roll No. 33867  
Kelsey A. Clark, La. Bar Roll No. 36413  
druitt.gremillion@bswllp.com  
kelsey.clark@bswllp.com  
*Attorneys for Defendant,  
Family Dollar Stores of Louisiana, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing *Answer to Plaintiff's Petition for Damages* has been sent this date via electronic mail to the following:

Brian G. Smith  
SMITH & NWOKORIE  
107 East Bayou Street  
P. O. Box 532  
Farmerville, LA 71241

Baton Rouge, Louisiana, on this 21<sup>st</sup> day of May, 2018.

Kelsey Clark  
Kelsey A. Clark

STANLEY JACKSON,  
*Plaintiff,*

v.

FAMILY DOLLAR STORES OF  
LOUISIANA, INC.  
*Defendants.*

\$ DOCKET NO. 48,208 **Filed in Clerk's Office**  
\$  
\$ 3<sup>rd</sup> DISTRICT COURT **MAY 21 2018**  
\$  
\$ PARISH OF UNION *Jeanne Clark*  
\$  
\$ STATE OF LOUISIANA 3<sup>rd</sup> District Court  
Baton Parish, Louisiana

**REQUEST FOR NOTICE**

In accordance with the provisions of Articles 1571 and 1572 of the Louisiana Code of Civil Procedure, you are hereby requested to send to us written notice by mail, at least ten (10) days in advance of any date fixed for any and all conferences, hearings, and/or trials in matter, whether on exceptions, rules or the merits thereof, or any assignment of fixing of said case.

In accordance with the provisions of Article 1913 and 1914 of the Louisiana Code of Civil Procedure, you also hereby are requested to send to us immediately notice of any order or judgment made or rendered in this case, upon the entry of such order or judgment, whether interlocutory or final.

This request for notice is made with full reservation of all rights, and we thank you for your customary courtesy and cooperation.

Respectfully submitted,

BREAZEALE, SACHSE & WILSON, L.L.P.  
One American Place, 23<sup>rd</sup> Floor  
Post Office Box 3197  
Baton Rouge, Louisiana 70821-3197  
Telephone: 225-387-4000  
Fax: 225-381-8029

*Kelsey Clark*  
Druitt G. Gremillion, La. Bar Roll No. 33867  
Kelsey A. Clark, La. Bar Roll No. 36413  
druitt.gremillion@bswllp.com  
kelsey.clark@bswllp.com  
**Attorneys for Defendant,**  
**Family Dollar Stores of Louisiana, Inc.**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing *Request for Notice* has been sent this date via electronic mail to the following counsel of record:

Brian G. Smith  
SMITH & NWOKORIE  
107 East Bayou Street  
P. O. Box 532  
Farmerville, LA 71241

Baton Rouge, Louisiana, on this 21 day of May, 2018.

*Kelsey Clark*  
Kelsey A. Clark



BREAZEALE, SACHSE & WILSON, L.L.P. | ATTORNEYS AT LAW

June 1, 2018

VIA FACSIMILE: (318) 368-3861

Dodi Eubanks, Clerk of Court  
UNION PARISH COURTHOUSE  
100 East Bayou Street, Suite 105  
Farmerville, LA 71241-2843

Re: *Stanley Jackson v. Family Dollar Stores of Louisiana, Inc., et al.*  
3<sup>rd</sup> Judicial District Court; No. 48,208; Union Parish, LA  
BSW File No. 15630-53129

Dear Dodi:

Attached please find Defendant Sedgwick Claims Management Services, Inc.'s Answer to Petition for Damages and Request for Notice for fax filing in the above-referenced matter.

Please confirm receipt of this filing, and include the associated costs for same, via return fax to my assistant, Linda Ladner, at (225) 410-6157. Upon receipt thereof, the original pleadings and my firm's check will be forwarded to you.

Thank you for your courtesy and attention to this request.

With best regards, I remain,

Very truly yours,

BREAZEALE, SACHSE & WILSON, LLP

Kelsey A. Clark

KAC/lll  
Attachment

cc: Brian G. Smith (*Via Email: lawofficebs@bellsouth.net*)

KELSEY A. CLARK  
*Kelsey.Clark@bswllp.com*

DIRECT DIAL: (225) 381-3174  
CORPORATE PHONE: (225) 387-4000  
FAX: (225) 381-8029  
One American Place, 23<sup>rd</sup> Floor  
Post Office Box 3197  
Baton Rouge, Louisiana 70821-3197

FILED  
Union Parish Clerk of Court [www.bswllp.com](http://www.bswllp.com)

JUN 01 2018

Deborah Andrews, Dy.

§ STANLEY JACKSON,  
§ Plaintiff,  
§  
§ V.  
§  
§ FAMILY DOLLAR STORES OF  
§ LOUISIANA, INC.  
§ Defendants

§ DOCKET NO. 48,208  
§  
§ 3<sup>rd</sup> DISTRICT COURT  
§  
§ PARISH OF UNION  
§  
§ STATE OF LOUISIANA

FILED  
Union Parish Clerk of Court

JUN 01 2018

*Deborah Andrews*  
Deborah Andrews, Dy.

ANSWER TO PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Defendant, Sedgwick Claims Management Services, Inc., improperly named in Plaintiff's Petition for Damages as Sedgwick Insurance Company, ("Sedgwick"), which answers Plaintiff's Petition for Damages as follows:

1.

The allegations contained in paragraph 1 are directed toward the Court, and therefore require no answer from Sedgwick.

2.

The allegations contained in paragraph 2 are denied for lack of sufficient information to justify a belief therein.

3.

The allegations contained in paragraph 3 are denied.

4.

The allegations contained in paragraph 4 are denied.

5.

The allegations contained in paragraph 5 are denied.

6.

The allegations contained in paragraph 6 are denied.

7.

The allegations contained in paragraph 7, and all subparts thereof, are denied.

8.

The allegations contained in paragraph 8, and all subparts thereof, are denied.

9.

The allegations contained in paragraph 9 are denied.

10.

The allegations contained in paragraph 10 are denied.

FURTHER ANSWERING, DEFENDANT, SEDGWICK CLAIMS  
MANAGEMENT SERVICES, INC., IMPROPERLY NAMED IN PLAINTIFF'S  
PETITION FOR DAMAGES AS SEDGWICK INSURANCE COMPANY, STATES:

11.

Sedgwick specifically denies having any knowledge, whether actual or constructive, of any allegedly dangerous conditions on its premises on the date of plaintiff's alleged accident.

12.

Sedgwick specifically denies that it breached any duty owed to plaintiff.

13.

Sedgwick specifically denies that it failed to exercise reasonable care to keep its premises in a reasonably safe condition.

14.

Sedgwick specifically denies that it failed to exercise reasonable care to keep its premises free of hazardous conditions.

15.

Sedgwick specifically denies that the condition of the floor on which plaintiff allegedly fell presented an unreasonable risk of harm.

16.

Sedgwick specifically denies that it created the allegedly dangerous condition on the floor on which plaintiff allegedly fell.

17.

Sedgwick denies that any action or inaction on its part was a cause in fact or legal cause of any injuries/damages to Stanley Jackson.

18.

The fault of plaintiff is pled in bar or reduction of plaintiff's recovery.

19.

The fault of third parties for whom Sedgwick is not liable is pled in bar or reduction of plaintiff's recovery.

20.

Plaintiff's failure to mitigate his damages is pled in bar or reduction of plaintiff's recovery.

21.

Sedgwick is entitled to, and hereby requests, a trial by jury.

22.

Sedgwick is not an insurance company and did not insure defendant Family Dollar Stores of Louisiana, Inc. at any time, including the time period at issue in this litigation.

23.

Sedgwick excepts to Plaintiff's Petition for Damages under La. C.C.P. art. 927(A)(5) because Plaintiff has no cause of action against Sedgwick as Sedgwick is a third party administrator, and not an insurance company.

24.

Sedgwick excepts to Plaintiff's Petition for Damages under La. C.C.P. art. 927(A)(6) because Plaintiff has no right of action against Sedgwick as Sedgwick is a third party administrator, and not an insurance company.

**WHEREFORE DEFENDANT, SEDGWICK CLAIMS MANAGEMENT SERVICES, INC., IMPROPERLY NAMED IN PLAINTIFF'S PETITION FOR DAMAGES AS SEDGWICK INSURANCE COMPANY, PRAYS** that after due proceedings, there be judgment in its favor, dismissing plaintiff's claims with prejudice, and assessing all costs against plaintiff.

Alternatively, Sedgwick prays that any recovery in favor of plaintiff be reduced by an amount commensurate with a degree of fault attributable to plaintiff, and a degree of fault attributable to third parties for whom Sedgwick is not liable. Further, Sedgwick prays that any recovery in favor of plaintiff be reduced by an amount commensurate with plaintiff's failure to mitigate his damages. Finally, Sedgwick prays for a trial by jury.

Respectfully submitted,  
BREAZEALE, SACHSE & WILSON, L.L.P.  
One American Place, 23<sup>rd</sup> Floor  
Post Office Box 3197  
Baton Rouge, Louisiana 70821-3197  
Telephone: 225-387-4000  
Fax: 225-381-8029

*Kelsey Clark*

Druitt G. Gremillion, La. Bar Roll No. 33867  
Kelsey A. Clark, La. Bar Roll No. 36413  
druitt.gremillion@bswllp.com  
kelsey.clark@bswllp.com

*Attorneys for Defendants, Family Dollar Stores of Louisiana, Inc. and Sedgwick Claims Management Services, Inc.*

STANLEY JACKSON,  
*Plaintiff,*

v.

FAMILY DOLLAR STORES OF  
LOUISIANA, INC.  
*Defendants.*

§ DOCKET NO. 48,208

§ 3<sup>rd</sup> DISTRICT COURT

Union Parish Clerk of Court

JUN 01 2018

§ PARISH OF UNION *Deborah K. Andrews*  
§ Deborah Andrews, Dy. Dg  
§ STATE OF LOUISIANA

FILED

REQUEST FOR NOTICE

In accordance with the provisions of Articles 1571 and 1572 of the Louisiana Code of Civil Procedure, you are hereby requested to send to us written notice by mail, at least ten (10) days in advance of any date fixed for any and all conferences, hearings, and/or trials in matter, whether on exceptions, rules or the merits thereof, or any assignment of fixing of said case.

In accordance with the provisions of Article 1913 and 1914 of the Louisiana Code of Civil Procedure, you also hereby are requested to send to us immediately notice of any order or judgment made or rendered in this case, upon the entry of such order or judgment, whether interlocutory or final.

This request for notice is made with full reservation of all rights, and we thank you for your customary courtesy and cooperation.

Respectfully submitted,

BREAZEALE, SACHSE & WILSON, L.L.P.  
One American Place, 23<sup>rd</sup> Floor  
Post Office Box 3197  
Baton Rouge, Louisiana 70821-3197  
Telephone: 225-387-4000  
Fax: 225-381-8029

*Kelsey Clark*

Druitt G. Gremillion, La. Bar Roll No. 33867  
Kelsey A. Clark, La. Bar Roll No. 36413  
druitt.gremillion@bswllp.com  
kelsey.clark@bswllp.com

*Attorneys for Defendants, Family Dollar Stores of Louisiana, Inc. and Sedgwick Claims Management Services, Inc.*

STANLEY JACKSON,  
*Plaintiff,*

v.

FAMILY DOLLAR STORES OF  
LOUISIANA, INC.  
*Defendants.*

§ DOCKET NO. 48,208

§ 3<sup>rd</sup> DISTRICT COURT

§ PARISH OF UNION

§ STATE OF LOUISIANA

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing *Answer to Plaintiff's Petition for Damages and Request for Notice* has been sent this date via electronic mail to the following:

Brian G. Smith  
SMITH & NWOKORIE  
107 East Bayou Street  
P. O. Box 532  
Farmerville, LA 71241

Baton Rouge, Louisiana, on this 1<sup>st</sup> day of June, 2018.

Kelsey Clark  
Kelsey A. Clark

**FILED**  
Union Parish-Clerk of Court

JUN 01 2018

*Deborah K. Andrews, Dy.*  
Deborah Andrews, Dy.

STANLEY JACKSON,  
*Plaintiff,*

v.

FAMILY DOLLAR STORES OF  
LOUISIANA, INC.  
*Defendants*

§ DOCKET NO. 48,208

§ 3<sup>rd</sup> DISTRICT COURT

§ PARISH OF UNION

§ STATE OF LOUISIANA

Filed in Clerk's Office

JUN 14 2018

*Brian G. Smith*  
BSWLLP, L.L.P.  
Baton Rouge, Louisiana

**MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

NOW COMES Plaintiff, Stanley Jackson, who moves that all claims in the above numbered and entitled matter against Sedgwick Insurance Company be dismissed in their entirety. Plaintiff specifically reserves all rights and claims against Family Dollar Stores of Louisiana, Inc. WHEREFORE, Plaintiff STANLEY JACKSON pray that this motion for voluntary dismissal without prejudice, be granted.

RESPECTFULLY SUBMITTED,

BY ATTORNEY:

Brian G. Smith  
SMITH & NWOKORIE  
107 East Bayou Street  
P. O. Box 532  
Farmerville, LA 71241

*Brian G. Smith*  
Brian G. Smith  
Counsel for Plaintiff, Stanley Jackson

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing *Motion for Voluntary Dismissal Without Prejudice and Order of Dismissal* has been sent via email as follows:

Kelsey A. Clark  
One American Place, 23rd Floor  
P. O. Box 3197  
Baton Rouge, La. 70821-3197  
E: [kelsey.clark@bswllp.com](mailto:kelsey.clark@bswllp.com)

Farmerville, Louisiana, on this 14 day of June, 2018.

*Brian G. Smith*  
Brian G. Smith

STANLEY JACKSON,  
*Plaintiff*,

v.

FAMILY DOLLAR STORES OF  
LOUISIANA, INC.  
*Defendants*

§ DOCKET NO. 48,208

§ 3<sup>rd</sup> DISTRICT COURT

§ PARISH OF UNION

§ STATE OF LOUISIANA

Filed in Court's Office

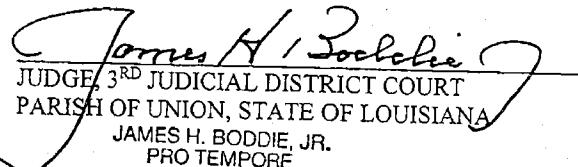
JUN 15 2018  
Joanna Wilson  
Under Penal Law  
-dy.

**ORDER OF DISMISSAL**

Considering the foregoing *Motion for Voluntary Dismissal Without Prejudice*:

IT IS ORDERED that all claims of Plaintiff, Stanley Jackson, against Defendant, Sedgwick Insurance Company, are hereby dismissed. Plaintiff reserves all rights and claims against Family Dollar Stores of Louisiana, Inc.

Union Parish, Louisiana, on this 15 day of June, 2018.

  
JUDGE, 3<sup>RD</sup> JUDICIAL DISTRICT COURT  
PARISH OF UNION, STATE OF LOUISIANA  
JAMES H. BODDIE, JR.  
PRO TEMPORE

**PLEASE SEND NOTICE OF THE SIGNING OF THIS ORDER TO:**

Kelsey A. Clark  
One American Place, 23rd Floor  
P. O. Box 3197  
Baton Rouge, La. 70821-3197

and

Brian G. Smith  
SMITH & NWOKORIE  
107 East Bayou Street  
Farmerville, LA 71241

**NOTICE**

**STANLEY JACKSON**

*Versus*

**FAMILY DOLLAR STORES OF LOUISIANA INC,  
ET AL**



Case: 00000048208  
Division:  
3<sup>rd</sup> Judicial District Court  
Parish of Union  
State of Louisiana

To: **KELSEY A CLARK**  
**BREAZEALE, SACHSE & WILSON, L.L.P.**  
**ONE AMERICAN PLACE, 23RD FLOOR**  
**P O BOX 3197**  
**BATON ROUGE, LA 70821**

**IT IS ORDERED** that all claims of Plaintiff, Stanley Jackson, against Defendant, Sedgwick Insurance Company, are hereby dismissed. Plaintiff reserves all rights and claims against Family Dollar Stores of Louisiana, Inc.

**\*\*See certified copies attached.\*\***

This the 15th day of June, 2018.

Deputy Clerk of Court  
Union Parish Louisiana

**NOTICE**

**STANLEY JACKSON**

*Versus*

**FAMILY DOLLAR STORES OF LOUISIANA INC,  
ET AL**



Case: 00000048208  
Division:  
3rd Judicial District Court  
Parish of Union  
State of Louisiana

To: **BRIAN G SMITH**  
**SMITH & NWOKORIE**  
**107 EAST BAYOU STREET**  
**P. O. BOX 532**  
**FARMERVILLE, LA 71241**

**IT IS ORDERED** that all claims of Plaintiff, Stanley Jackson, against Defendant, Sedgwick Insurance Company, are hereby dismissed. Plaintiff reserves all rights and claims against Family Dollar Stores of Louisiana, Inc.

**\*\*See certified copy attached.\*\***

*This the 15th day of June, 2018.*

Deputy Clerk of Court  
Union Parish Louisiana